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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW

(Legislative Department)

New Delhi, the 6th January, 1967/*Pausa* 16, 1888 (*Saka*)

THE ANDAMAN AND NICOBAR ISLANDS PROHIBITION OF COW SLAUGHTER REGULATION, 1967

No. 1 OF 1967

Promulgated by the President in the Seventeenth Year of the Republic of India.

A Regulation to prohibit the slaughter of cow and its progeny in the Union territory of the Andaman and Nicobar Islands and for matters connected therewith.

In exercise of the powers conferred by clause (1) of article 240 of the Constitution, the President is pleased to promulgate the following Regulation made by him:—

(1)

SECRETARY
D. 39
22.12.67

Short title, extent and commencement.

1. (1) This Regulation may be called the Andaman and Nicobar Islands Prohibition of Cow Slaughter Regulation, 1967.

(2) It extends to the whole of the Union territory of the Andaman and Nicobar Islands.

(3) It shall come into force on such date as the Chief Commissioner may, by notification in the Official Gazette, appoint.

Definitions.

2. In this Regulation, unless the context otherwise requires,—

(a) "Andaman and Nicobar Islands" means the Union territory of the Andaman and Nicobar Islands;

(b) "beef" means flesh of cow and of such bull or bullock whose slaughter is prohibited under this Regulation but does not include such flesh contained in sealed containers and imported as such into the Andaman and Nicobar Islands;

(c) "Chief Commissioner" means the Chief Commissioner of the Andaman and Nicobar Islands;

(d) "competent authority" means any person or authority authorised by the Chief Commissioner, by notification in the Official Gazette, to perform the functions of the competent authority under this Regulation for such area as may be specified in the notification;

(e) "cow" includes a heifer and a calf;

(f) "Official Gazette" means the Andaman and Nicobar Gazette;

(g) "Prescribed" means prescribed by rules made under this Regulation;

(h) "slaughter" means killing by any method whatsoever and includes maiming and inflicting of physical injury which in the ordinary course will cause death;

(i) "uneconomic cow" includes a stray, unprotected, infirm, disabled, diseased or barren cow.

Prohibition of slaughter of cows and regulation of slaughter of bulls and bullocks.

3. Notwithstanding anything contained in any other law for the time being in force or in any custom or usage to the contrary, no person shall slaughter or cause to be slaughtered or offer or cause to be offered for slaughter at any place in the Andaman and Nicobar Islands—

(a) a cow; or

(b) a bull or bullock, except under and in accordance with a certificate from the competent authority issued under this Regulation.

Issue of certificate for slaughter of bulls and bullocks.

4. (*1*) Any person desiring to slaughter or offer for slaughter or cause to be slaughtered or offered for slaughter, a bull or bullock, may apply to the competent authority within whose jurisdiction he resides, for a certificate for the purpose.

(*2*) Every application under sub-section (*1*) shall be in the prescribed form and shall contain the prescribed particulars.

(*3*) On receipt of any such application, the competent authority may, after making such inquiries as it thinks fit and after satisfying itself that—

(*a*) the bull or bullock, as the case may be, is over the age of fifteen years; or

(*b*) in the case of a bull, it has become permanently unfit and unserviceable for the purpose of breeding and in the case of a bullock, it has become permanently unfit and unserviceable for the purpose of draught or any kind of agricultural operation,

issue a certificate to the effect that the bull or bullock, as the case may be, is fit for slaughter:

Provided that where the permanent unfitness or unserviceability of a bull or bullock has been caused deliberately, the bull or bullock shall not be deemed to be permanently unfit or unserviceable for the purpose of this sub-section.

(*4*) Where the competent authority issues or refuses to issue a certificate, it shall record in writing the reasons therefor.

(*5*) Where the competent authority issues a certificate, it shall specify therein the place at which the bull or bullock may be slaughtered and the applicant shall not slaughter the bull or bullock at any place other than the place mentioned in the certificate.

Appeal.

5. Any person aggrieved by the refusal of the competent authority to issue a certificate under section 4 may, within the prescribed period, prefer an appeal to the Chief Commissioner and the Chief Commissioner shall, after giving the appellant an opportunity of being heard, dispose of the appeal as expeditiously as possible.

Prohibition of sale of beef.

6. Notwithstanding anything contained in any other law for the time being in force, no person shall sell or transport, or offer for sale or transport, or cause to be sold or transported, beef or beef-products in any form except for such medicinal purposes as may be prescribed or for consumption by a *bona fide* passenger in an aircraft.

Exemption.

7. (*1*) Nothing in this Regulation shall apply to the slaughter of a cow, bull or bullock—

(*a*) which is suffering from any contagious or infectious disease notified as such by the Chief Commissioner; or

(*b*) which is subjected to experimentation in the interest of medical or public health research:

Provided that the slaughtering is done under such circumstances and in accordance with such conditions as may be prescribed.

(*2*) Where a cow, bull or bullock is slaughtered on the ground specified in clause (*a*) of sub-section (*1*), the person who slaughters or causes to be slaughtered such cow, bull or bullock shall, within twenty-four hours of the slaughter, lodge information of the same at the nearest police station or before such officer as may be prescribed and its carcass shall be buried or disposed of in such manner as may be prescribed.

Establishment of institutions to take care of uneconomic cows.

8. There shall be established by the Chief Commissioner or by any local authority, whenever directed to do so by the Chief Commissioner, such institutions as may be necessary for taking care of uneconomic cows.

Levy of charges or fees.

9. The Chief Commissioner or the local authority, as the case may be, may levy such charges or fees as may be prescribed for keeping uneconomic cows in the institutions established under section 8:

Provided that in no case such charges or fees in respect of any such cow shall exceed the actual cost of keeping that cow.

Penalty.

10. (*1*) If any person contravenes or attempts to contravene or abets the contravention of the provisions of section 3 or section 6, he shall be punishable with rigorous imprisonment for a term which may extend to two years, or with fine which may extend to one thousand rupees, or with both.

(*2*) If any person contravenes or attempts to contravene or abets the contravention of the provisions of sub-section (5) of section 4 or of sub-section (*2*) of section 7, he shall be punishable with simple imprisonment for a term which may extend to one year, or with fine which may extend to two hundred rupees, or with both.

(*3*) If any person contravenes or attempts to contravene or abets the contravention of any of the provisions of this Regulation or any rule made thereunder, for which a penalty is not expressly provided by this Regulation, he shall be punishable with fine which may extend to two hundred and fifty rupees.

(4) In any trial for an offence punishable under sub-section (2), the burden of proof that the cow was slaughtered on the ground specified in clause (a) of sub-section (1) of section 7 shall be on the accused.

Offences to be cognizable and non-bailable.

11. Notwithstanding anything contained in the Code of Criminal Procedure, 1898, an offence punishable under sub-section (1) of section 10 shall be cognizable and non-bailable. 5 of 1898.

Power to make rules.

12. (1) The Chief Commissioner may make rules for the purpose of carrying into effect the provisions of this Regulation.

(2) Without prejudice to the generality of the foregoing provision, such rules may provide for—

(a) the form of application for the grant of a certificate under section 4 and the particulars it may contain;

(b) the period within which an appeal may be filed under section 5;

(c) the medicinal purposes for which beef may be sold under section 6;

(d) the circumstances under which and the conditions in accordance with which slaughtering of cows, bulls or bullocks may be done under sub-section (1) of section 7;

(e) the officer before whom information of slaughtering of cows, bulls or bullocks shall be lodged and the manner in which the carcass of the same shall be buried or disposed of under sub-section (2) of section 7;

(f) the charges or fees that may be levied for keeping uneconomic cows under section 9;

(g) any other matter which has to be or may be prescribed.

S. RADHAKRISHNAN,
President.

S. P. SEN-VARMA,
Secy. to the Govt. of India.

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